

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 07/01/2000	NUMBER 06.05.100
	SUPERSEDES 06.05.100 (12/01/91); DOM 2000-5	
SUBJECT PAROLE GUIDELINES	AUTHORITY MCL 791.203; 791.233e; 791.235; Administrative Rule 791.7715; 791.7716	
	ACA STANDARDS 2-1006; 2-1060; 2-1063	
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POLICY STATEMENT:

The Parole Board shall use parole guidelines to assist in the parole decision-making process.

RELATED POLICY:

06.05.104 Parole Board Interview and Decision Criteria

POLICY:

GENERAL INFORMATION

- A. The Parole Board shall use parole guidelines developed in accordance with Administrative Rule 791.7716 to assist in determining whether prisoners shall be paroled. In conjunction with the Office of Planning, Research and Management Information Services, the Parole Board shall establish parole guideline score ranges to indicate low, average, or high probabilities of parole. A parole guideline score in the high probability of parole range does not create a right for the prisoner to be paroled, nor does a parole guideline score in the low probability of parole range prohibit the parole board from granting parole.
- B. The Parole Board chair shall ensure that Management Information Services (MIS) in the Office of Planning, Research and Management Information is notified whenever a change must be made to parole guideline programming. The Parole Board chair also shall ensure that MIS is notified whenever a change must be made to the information contained within the Corrections Management Information System (CMIS) Operators Manual regarding parole guideline scoring. The MIS Manager shall ensure that requested changes are made in a timely manner.

CALCULATION OF PAROLE GUIDELINE SCORES

- C. Except if the offender is serving for or awaiting sentencing on a conviction with a mandatory life sentence, an FOA field agent shall complete a Parole Guidelines Data Entry form (CFJ-123) whenever an offender receives an indeterminate sentence to be served with the Department either as an original disposition or for probation violation. The form shall be completed prior to sentencing whenever the agent is recommending that the offender receive a sentence to be served with the Department. The form shall be completed immediately after sentencing in all other cases, including when an offender receives a sentence to be served with the Department due to a violation of probation. One form shall be prepared for each court docket number; however, it shall contain information about all offenses for which the offender was convicted under that docket number.
- D. The Parole Guidelines Data form shall be forwarded with the Presentence Investigation Report or, if completed after sentencing, as soon as possible after sentencing to the Department facility to which the offender will be transferred. Facility staff shall enter the information from the Parole Guidelines Data Entry form into the CMIS as set forth in the CMIS Operators Manual.
- E. Whenever a Parole Eligibility Report (PER) is prepared pursuant to PD 06.05.103 "Parole Eligibility Reports", the Case Preparation Unit of the Parole Board shall review the report and other relevant information in the prisoner's Central Office file and enter into CMIS the information that is required to

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calculate the prisoner's parole guideline score. A printed Parole Guideline Scoresheet (PP-151) shall be generated after each calculation and placed in the prisoner's Central Office file. A copy of the Parole Guideline Scoresheet shall be provided to the prisoner.

PAROLE DECISION

- F. The Parole Board or a panel of its members, as appropriate, shall review a prisoner's parole guideline score when considering the prisoner for parole. The Parole Board may deny parole without an interview if the prisoner's parole guideline score indicates a low probability of parole. The Parole Board may grant parole without an interview if the prisoner's parole guideline score indicates a high probability of parole, except that a prisoner who is serving for a sex offense or an offense involving the death of a victim shall not be paroled without an interview. Prisoners whose parole guideline scores indicate an average probability of parole shall be interviewed prior to granting or denying parole.
- G. After an interview, the Parole Board may depart from the parole guideline score range by denying parole to a prisoner who has a high probability of parole or by granting parole to a prisoner who has a low probability of parole. The departure must be for substantial and compelling reasons which shall be stated in writing. The Parole Board shall not use a prisoner's gender, race, ethnicity, alienage, national origin, or religion as a basis for the departure.

GRIEVANCE PROCEDURE

- H. Decisions by the Parole Board, including the scoring weights and ranges utilized in developing parole guideline scores, are not grievable. However, a prisoner may challenge the calculation of his/her parole guideline score, including the accuracy of the information used in calculating the score, by filing a grievance pursuant to PD 03.02.130 "Prisoner/Parolee Grievances".
- I. Whenever it is determined that an error was made in calculating a prisoner's parole guideline score, the score shall be recalculated by the Case Preparation Unit. If the prisoner was considered for parole based on the incorrect score, the Parole Board shall reconsider the case.

OPERATING PROCEDURE

- J. The FOA Deputy Director shall ensure that within 60 days of its effective date procedures necessary to implement this policy are developed.

AUDIT ELEMENTS

- K. A Primary Audit Elements List has been developed and will be provided to FOA Regional Administrators and the Parole Board Chairperson to assist with self audit of this policy, pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

BM:OPH:06/14/00